

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,
Plaintiff,

Vs.

EDUARDO CRUZ RIVERA
Defendant

Criminal Case No. 00-035 (JAF)

**MOTION REQUESTING RECONSIDERATION OF REVOCATION OF
CONDITIONS OF RELEASE**

COMES NOW, Mr. Eduardo Cruz Rivera, and through the undersigned attorney respectfully alleges and prays:

- 1- An arrest warrant was issued in the case at bar on February 2nd, 2006.
- 2- Mr. Cruz Rivera was the subject of an illegal intervention by Puerto Rico Police Officers. The Court of First Instance of Puerto Rico did not find probable cause, since it did not lend credibility to the Puerto Rico Police agent's version of the search and seizure that led to the arrest.
- 3- Mr. Cruz Rivera was on supervised release after having pled guilty to a class A felony in the case at bar. However, revocation of the release ensued when charges were filed in Federal Court for acts stemming from the illegal search and seizure made by the state agents.
- 4- The undersigned file a suppression motion for the case of **US v. Eduardo Cruz Rivera, 06-027 (JAG)**, as well as a request for order of consolidation of that case with the case at bar. Furthermore, we requested that this Court hold the decision in abeyance until the Motion to Suppress was decided.

5- We respectfully request that the Honorable Court reconsider this five year sentence and hold the reconsideration in abeyance until the suppression motion is decided.

WHEREFORE, we respectfully request the Court reconsider and hold its decision in abeyance until the suppression motion is decided.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on this May 24, 2006.

CERTIFICATE OF SERVICE: I hereby certify that on May 24th, 2006, I electronically filed the foregoing with the Clerk of the Court, using the CM/ ECF system which will send automatic notification of such filing to: AUSA Nathan J. Shulte, and all attorneys of record.

S/ JORGE LUIS ARMENTEROS CHERVONI

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